



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2011 REGULAR SESSION

SENATE BILL NO. 70

TUESDAY, FEBRUARY 8, 2011

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE March 16, 2011
4:00 pm

ELAINE N. WALKER
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adles

AN ACT relating to environmental protection.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔ Section 1. KRS 224.1-530 is amended to read as follows:

(1) Notwithstanding any provision of law or administrative regulation to the contrary, the numerical values contained in the most current version of the document titled "Regional Screening Level (RSL) Table"~~["Region 9 Preliminary Remediation Goals,"]~~ published by the United States Environmental Protection Agency's Region 3 as of the effective date of this Act~~[9]~~, are hereby established as screening levels and shall be used by the cabinet in conformance with the guidance set out in the Risk-Based Concentration Table User's Guide~~["Region 9 Preliminary Remediation Goals"]~~. It is not the intent of this section to establish these levels as the cleanup standards for individual contaminants that may be present at any site.

(2) Within one (1) year from June 21, 2001, the cabinet shall promulgate regulations establishing standards under KRS 224.01-400 and 224.01-405 with respect to hazardous substances, pollutants, contaminants, petroleum, or petroleum products, that are protective of human health, safety, and the environment.

(3) Within one (1) year from June 21, 2001, the cabinet shall promulgate a regulation defining tiered remediation management options that account for the following:

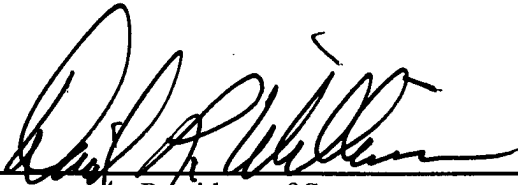
- (a) Current and proposed land use;
- (b) Zoning, if applicable, of the property and surrounding properties; and
- (c) The nature and extent of the contamination.

(4) The cabinet may promulgate administrative regulations that adopt and incorporate updated versions of the Regional Screening Level (RSL) Table to be used under this section.

(5) Nothing in this section shall affect or impair the ability of the cabinet to implement and enforce the provisions of KRS 224.01-400 and 224.01-405.

(6)~~[(5)]~~ Nothing in this section shall be construed to limit the options available to the

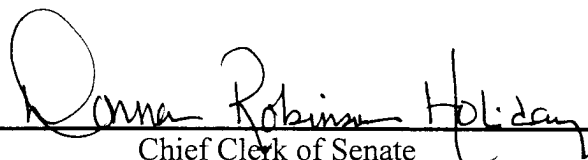
1 applicant under KRS 224.01-400(18) to 224.01-400(21).



President of Senate



Speaker-House of Representatives

Attest: 

Chief Clerk of Senate

Approved 

Governor

Date 3-16-11